

Amendment No. 1 to HB2437

Johnson P
Signature of Sponsor

AMEND Senate Bill No. 3626

House Bill No. 2437*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-3-202, is amended by deleting subsection (b) in its entirety and substituting instead the following:

(b)

(1)

(A) Notwithstanding any provisions of this title to the contrary, any motor vehicle dismantler and recycler or scrap metal processor who purchases a motor vehicle solely for parts, dismantling or scrap that is twelve (12) years or older may purchase the motor vehicle without seeing and obtaining a copy of the title to the vehicle if the motor vehicle dismantler and recycler or scrap metal processor does not crush or shred the vehicle for a period of three (3) business days, including the date of purchase, and if the following information is obtained by the buyer and maintained as a part of the record required by subdivision (a)(1) for three (3) years:

(i) The name, address, and National Motor Vehicle Title Information System identification number of the motor vehicle dismantler and recycler or scrap metal processor;

(ii) The name, initials, or other identification of the individual entering the information;

(iii) The date of the transaction;

(iv) A description of the motor vehicle, including the make and model to the extent practicable;

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(v) The vehicle identification number (VIN) of the vehicle to the extent practicable;

(vi) The license plate number of any vehicle transporting the motor vehicle being sold;

(vii) The amount of consideration given for the vehicle;

(viii) A written statement signed by the seller, or the seller's agent, certifying that the seller, or the seller's agent, has the lawful right to sell the motor vehicle;

(ix) The name and address of the person from whom the vehicle is being purchased; and

(x) A photocopy or electronic scan of a valid driver license of the seller or seller's agent of the motor vehicle, or in lieu of the photocopy or scan of the valid driver license, any other identification card containing a photograph of the seller as issued by any state or federal agency of the United States. If the buyer has a copy of the seller's photo identification on file, the buyer may reference the photo identification on file without making a separate photocopy for each transaction.

(B) If the seller does not show the motor vehicle title or provide the information prescribed in subdivision (b)(1)(A), the motor vehicle dismantler and recycler or scrap metal processor shall not complete the transaction.

(2) The general assembly intends by this subsection (b) to occupy and preempt the entire field of legislation related to the age of the vehicle which a motor vehicle dismantler and recycler or scrap metal processor may purchase without seeing and obtaining a copy of the title to the vehicle and the three (3) day waiting period prior to crushing or shredding the vehicle when a title is not presented to the dismantler or recycler in accordance with subdivision (1)(A).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.